

SECOND REGULAR SESSION

[CORRECTED]

[PERFECTED]

SENATE SUBSTITUTE NO. 3 FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE JOINT RESOLUTION NO. 45

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Offered April 22, 2010.

Senate Substitute No. 3 adopted, April 22, 2010.

Taken up for Perfection April 22, 2010. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

5512S.06P

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2(a) and 2(b) of article IX of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state board of education, with an effective date.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2010, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article IX of the Constitution of the state of Missouri:

Section A. Sections 2(a) and 2(b), article IX, Constitution of Missouri, are
2 repealed and two new sections adopted in lieu thereof, to be known as sections
3 2(a) and 2(b), to read as follows:

Section 2(a). 1. The supervision of instruction in the public schools **and**
2 **coordination of public higher education** shall be vested in a state board of
3 education[, consisting of eight lay members]. **The board shall promote the**
4 **development of a seamless and efficient system of education. The board**
5 **shall consist of six members who shall be** appointed by the governor, by and
6 with the advice and consent of the senate; provided, that at no time shall more

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

7 than [four] **three** members be of the same political party. The term of office of
8 each member shall be [eight] **six** years, except the terms of the first appointees
9 shall be [from one to eight years, respectively] **two years for two members,**
10 **four years for two members, and six years for two members.** While
11 attending to the duties of their office, members shall be entitled to receive only
12 actual expenses incurred, and a per diem fixed by law.

13 **2. The board shall have other powers and duties as prescribed**
14 **by law.**

15 **3. The board shall succeed the state board of education**
16 **heretofore established as well as the coordinating board for higher**
17 **education and the department of higher education, with all powers and**
18 **duties as may be prescribed by law.**

19 **4. The provisions of this section shall become effective July 1,**
20 **2011.**

Section 2(b). The board shall select and appoint a commissioner of
2 education as its chief administrative officer, who shall be a citizen and resident
3 of the state, and removable at its discretion. **The appointment and selection**
4 **of the commissioner shall require the advice and consent of the**
5 **senate.** The board shall prescribe his **or her** duties and fix his **or her**
6 compensation, and upon his **or her** recommendation shall appoint the
7 professional staff and fix their compensation. The board shall succeed the state
8 board of education heretofore established, with all its powers and duties, and
9 shall have such other powers and duties as may be prescribed by law.

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